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G. HOPKINS GUY, III (State Bar No. 124811)
hopguy@orrick.com
I. NEEL CHATTERJEE (State Bar No. 173985)
nchatterjee@orrick.com
MONTE COOPER (State Bar No. 196746)
mcooper@orrick.com
THERESA A. SUTTON (State Bar No. 211857)
tsutton@orrick.com
YVONNE P. GREER (State Bar No. 214072)
ygreer@orrick.com
ORRICK, HERRINGTON & SUTCLIFFE LLP
1000 Marsh Road
Menlo Park, CA 94025
Telephone: 650-614-7400
Facsimile: 650-614-7401

Attorneys for Plaintiffs
FACEBOOK, INC. and MARK ZUCKERBERG

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

FACEBOOK, INC. and MARK ZUCKERBERG,

Plaintiffs,

v.

CONNECTU, INC. (formerly known as CONNECTU, LLC), CAMERON WINKLEVOSS, TYLER WINKLEVOSS, DIVYA NARENDRA, PACIFIC NORTHWEST SOFTWARE, INC., WINSTON WILLIAMS, WAYNE CHANG, and DAVID GUCWA AND DOES 1-25,

Defendants.

Case No. 5:07-CV-01389-RS

FACEBOOK'S ADMINISTRATIVE REQUEST PURSUANT TO LOCAL CIVIL RULE 79-5(B) & (D) TO FILE UNDER SEAL EXHIBITS J, U, BB, CC, DD AND EE, TO THE DECLARATION OF I. NEEL CHATTERJEE IN SUPPORT OF FACEBOOK'S MOTION FOR SANCTIONS

Date: September 26, 2007
Time: 9:30 a.m.
Judge: Honorable Richard Seeborg

Dockets.Justia.com

Pursuant to Civil L.R. 7-11 and 79-5 (b), Facebook respectfully submits this administrative request asking the Court to file under seal Exhibits U, CC, DD and EE to the Declaration of I. Neel Chatterjee filed in support of Facebook's Motion for Evidentiary and Related Sanctions, Including Sanctions Pursuant to 28. U.S.C. § 1927, Against Defendants ConnectU, Inc., Cameron Winklevoss, Tyler Winklevoss, Divya Narendra and Their Counsel. Pursuant to Civil L.R. 7-11 and 79-5(d), Facebook also respectfully submits this administrative request asking the Court to file under seal Exhibits J and BB to the Declaration of I. Neel Chatterjee filed in support of Facebook's Motion for Evidentiary and Related Sanctions, Including Sanctions Pursuant to 28 U.S.C. § 1927, Against Defendants ConnectU, Inc., Cameron Winklevoss, Tyler Winklevoss, Divya Narendra and Their Counsel.

The parties entered into, and the California Superior Court issued, a Stipulated Protective Order on January 23, 2006, which prohibits either party from filing in the public record any documents that have been designated as "Confidential" or "Highly Confidential" pursuant to the Protective Order.

Exhibit J to the Declaration of I. Neel Chatterjee in Support of Facebook's Motion for Sanctions is a copy of ConnectU, LLC's Operating Agreement and has been marked Confidential by ConnectU pursuant to the Protective Order entered in this matter, and hence is subject to Local Civil Rule 79-5(d).

Exhibit U to the Declaration of I. Neel Chatterjee in Support of Facebook's Motion for Sanctions is a copy of supplemental briefing submitted by ConnectU in the Massachusetts litigation. It has been marked Confidential by ConnectU pursuant to the Protective Order entered in that matter as a result of citation to deposition testimony and other documentation produced by Facebook and Mark Zuckerberg which is subject to that Protective Order. This exhibit should continue to be sealed from public viewing pursuant to Local Civil Rule 79-5(b).

Exhibit BB to the Declaration of I. Neel Chatterjee in Support of Facebook's Motion for Sanctions is a copy of ConnectU's responses to Facebook's First Set of Interrogatories, which it served in the Massachusetts action. It has been marked Confidential by ConnectU pursuant to the Protective Order entered in that matter, and hence is subject to Local Civil Rule 79-5(d).

Exhibit CC to the Declaration of I. Neel Chatterjee in Support of Facebook's Motion for Sanctions is a copy of the Motion to Compel the deposition of ConnectU, which Facebook filed in the Superior Court in this action. This motion contains references to confidential material. It was marked Confidential by Facebook pursuant to the Protective Order entered in this matter, and was filed under seal in the Superior Court. This exhibit should continue to be sealed from public viewing pursuant to Local Civil Rule 79-5(b).

Exhibit DD to the Declaration of I. Neel Chatterjee in Support of Facebook's Motion for Sanctions is a copy of the Motion to Compel responses by ConnectU to written discovery, which Facebook filed in the Superior Court in this action. This motion contains references to confidential material. It was marked Confidential by Facebook pursuant to the Protective Order entered in this matter, and was filed under seal in the Superior Court. This exhibit should continue to be sealed from public viewing pursuant to Local Civil Rule 79-5(b).

Exhibit EE to the Declaration of I. Neel Chatterjee in Support of Facebook's Motion for Sanctions is a copy of the Motion to Compel responses by ConnectU to written discovery, which Facebook filed in the Superior Court in this action. This motion contains references to confidential material. It was marked Confidential by Facebook pursuant to the Protective Order entered in this matter, and was filed under seal in the Superior Court. This exhibit should continue to be sealed from public viewing pursuant to Local Civil Rule 79-5(b).

Dated: August 22, 2007 Orrick, Herrington & Sutcliffe LLP

/s/ I. Neel Chatterjee /s/
I. Neel Chatterjee
ATTORNEYS FOR PLAINTIFFS
FACEBOOK, INC. AND MARK ZUCKERBERG

CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on August 22, 2007.

Dated: August 22, 2007.

Respectfully submitted,

/s/ I. Neel Chatterjee /s/

I. Neel Chatterjee